

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 7, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-18034 – APPLICANT: CAROLLO'S TROPICAL MOTORS, INC. - OWNER: EP DECATUR, LP

THIS ITEM WAS HELD IN ABEYANCE FROM THE JANUARY 17, 2007 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

The Planning Commission (4-1 vote) and staff recommend DENIAL.

Planning and Development

1. Conformance to the Conditions of Approval for Special Use Permit (SUP-18037), if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, and building elevations, date stamped 11/20/06, and landscape plan, date stamped 11/07/06, except as amended by conditions herein.
4. Recordation of a reversionary parcel map or administrative joining consolidating the parcels on the site prior to issuance of any building or grading permits.
5. A Waiver from LVMC Title 19.10 is hereby approved, to allow zero landscaping planters in the parking lot where one is required for each six parking spaces.
6. A Waiver from LVMC Title 19.12 is hereby approved, to allow a zero foot perimeter landscape buffer along the southern interior lot line where eight feet is required and zero trees in the perimeter landscape buffer where 38 trees are required.
7. A revised site plan shall be submitted to and approved by the Planning and Development Department, prior to the time application is made for a building permit, to reflect the entire site with all parking shown and tabulated to reflect total site compliance with LVMC Title 19.04 and Title 19.10 for parking requirements for all uses.
8. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

9. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
12. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

15. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
16. Coordinate with the City Engineer's Office regarding the Decatur Boulevard project to determine impacts to this site, if any, prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first.
17. The driveway located adjacent to Decatur Boulevard shall be designed, located and constructed in accordance with Standard Drawing #222a.
18. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.

19. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans, the issuance of any building or grading permits or the submittal of a map for this site, whichever may occur first. Provide and improve all drainage ways as recommended.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Site Development Plan Review to site the addition of a proposed 1,680 square-foot office building to an existing Motor Vehicle Sales (New) establishment for use as a separate Motor Vehicle Sales (Used) use. The applicant requests a waiver of the perimeter landscape buffer requirements and the parking lot landscaping standards, on 3.74 acres at 2025 South Decatur Boulevard. A Special Use Permit application, SUP-18037, to allow the Motor Vehicle Sales (Used) use is also for the subject site and will be considered concurrently.

The applicant indicates that this location is intended to be occupied by them for two years while the business locates a permanent location. This request is because of the loss of their current lease on premises in the county. Due to the extent of the landscaping waivers, denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/21/06	<p>The Planning Commission recommended denial of companion item SUP-18037 concurrently with this application.</p> <p>The Planning Commission voted 4-1/sd to recommend DENIAL (PC Agenda Item #45/rts).</p>
<i>Related Building Permits/Business Licenses</i>	
03/01/06	A building permit application for tenant improvement work, plan check L-3087-06, was submitted 02/02/06. The Planning and Development Department review began and recorded approval on 02/24/06. This permit was issued.
09/18/06	A business license for an A16 (Automobile Sales - Automobile sales - new and used) category license was processed in on 05/25/06 by the Department of Finance and Business Services. This license (A16-01269) was approved by planning, on 06/07/06. This license has been issued.
<i>Pre-Application Meeting</i>	
10/23/06	A pre-application meeting was held and elements of this application were discussed. It was noted that a wavier of perimeter landscape buffer requirements would be needed. Additionally, the parking standards and minimum requirements for the motor vehicle sale (used) use were talked about. Submittal requirements were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	3.74

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Auto Dealership	GC (General Commercial)	C-2 (General Commercial)
North	Truck Rental/Storage	GC (General Commercial)	C-2 (General Commercial)
South	Shopping Center	SC (Service Commercial)	C-2 (General Commercial)
East	Shopping Center	GC (General Commercial)	C-2 (General Commercial)
West	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	
Trails		X	
Rural Preservation Overlay District		X	
Development Impact Notification Assessment		X	
Project of Regional Significance		X	

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following development standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Width	100	300	Y
Min. Setbacks			
• Front	20	20	Y
• Side	10	10	Y
• Corner	15	15	Y
• Rear	20	20	Y
Max. Lot Coverage	50%	<50%	Y
Max. Building Height	n/a	11	Y

Setbacks, lot widths, and lot coverage are based on the entire site not just the portion indicated for this use.

Pursuant to Title 19.10 and Title 19.12, the following development standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree / 6 Spaces	1 Tree	0 Trees	N
Buffer: Min. Trees	1 Tree / 30 Linear Feet	38 Trees	0 Trees	N
TOTAL		39 Trees	0 Trees	N
Min. Zone Width	15 Feet at ROWs and 8 Feet at Interior Property Line		15' at ROWs & 0' Interior P/L	N

Pursuant to Title 19.04 and Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Motor Vehicle Sales (Used)	1,680 SF	1 Space / 500 SF of GFA	4	1	5	1	Y
TOTAL (including handicap)	1,680 SF	1 Space / 500 SF of GFA	4		5		Y

Waivers		
Request	Requirement	Staff Recommendation
To provide zero feet of perimeter landscape buffer along the southern interior lot line	8 FT	Denial
To provide no landscaping planter in the parking lot	1 - 5FT Planter w/ 1 - 24" Min. Box Tree	Denial
To provide no trees in the existing perimeter landscape buffers along the ROWs	38 - 24" Min. Box Trees	Denial

ANALYSIS

The proposed Motor Vehicle Sales (Used) use is allowed with the approval of a special use permit in the C-2 (General Commercial) zoning district. Motor Vehicle Sales (Used) is defined in Title 19 as a facility or area used primarily for the display and sale or lease of used automobiles, motorcycles, and motor scooters. This use also includes service bays and auto body shops that are incidental and accessory to the sales use. There are no base conditions for approval of a Special Use Permit for a Motor Vehicle Sales (Used) use. These projects are evaluated on a case-by-case basis and conditions are imposed as needed.

This site was annexed into the City of Las Vegas in 1984 and there has been no city land use case heard since that time.

- Site Plan

The proposed Motor Vehicle Sales (Used) use requires four parking spaces, including one handicap accessible space. The submitted site plan indicates five spaces will be provided, including the handicap space depicted as van accessible. To ensure that parking is properly calculated for the entire site a condition has been added to the requiring a revised site plan that shows and tabulates parking for the entire site prior to the issuance of any building permits.

The site encompasses two parcels with an existing building built across the lot line. Additionally, should the parcels in the future become separate sites the siting of the proposed office places it out of conformance with development standards for the C-2 (General Commercial) zoning district. For this reason a conditions has been added that prior to the issuance of any building or grading permits that a reversionary parcel map or administrative joining consolidating the parcels be recorded.

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Motor Vehicle Sales (Used) use, and this is an existing auto dealership, Motor Vehicle Sales (New) use, site.

- Landscape Plan

The applicant is leasing the space from an established auto dealership, Motor Vehicle Sales (New) use, and requests that the existing perimeter landscaping buffer along the right-of-ways be considered adequate. The landscape plan submitted indicates that this is currently a desert rock planter. As a part of this review the applicant requests a wavier of the parking lot landscaping requirement to allow zero parking lot landscaping where a minimum of one five-foot wide landscape planter finger for every six spaces is required. Additionally, the applicant has requested a wavier of the perimeter landscape buffer requirements to allow zero feet of landscaping along the southern interior lot line where eight feet the minimum required is. This wavier also requests that zero trees be required where one tree per 30 linear feet is the requirement. If granted, these waivers would reduce the planting requirements for this site from 38 trees to zero within the perimeter landscape buffers.

- Elevations/Floor Plan

The building elevations depict a one-story building of a pre-manufacture design with an attached access ramp and a flat roof. The floor plan shows space for restroom facilities and five offices.

The C-2 (General Commercial) zoning on the site is appropriate for this use. Staff is recommending approval of the required Special Use Permit, SUP-18037. However, due to the applicant's request for waivers to the code requirements for perimeter landscape buffering widths, materials and parking lot landscaping staff is recommending denial of this site development plan review.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

The proposed development is not compatible with adjacent development along the South Decatur Corridor and surrounding area due to landscaping wavier requests.

2. **The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

This proposed site plan is in compliance with the general plan designation of GC (General Commercial) and zoning of C-2 (General Commercial) on the site. However, the site is not consistent with Title 19.10 and Title 19.12 landscaping requirements.

3. **Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

The subject site is adjacent to South Decatur Boulevard, a 120-foot wide primary arterial that should be adequate to support the proposed use. The site has additional access off of El Parque Avenue, a 60-foot wide local right-of-way.

4. **Building and landscape materials are appropriate for the area and for the City;**

The building elevations depict design and materials that will provide an aesthetically acceptable building and are compatible with the surrounding commercial uses.

5. **Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

The proposed Motor Vehicle Sales (Used) use will be compatible with other commercial development in the area along South Decatur Boulevard.

6. **Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

The Motor Vehicle Sales (Used) use will be subject to regular inspections for licensing and therefore will not compromise the public health, safety or welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

ASSEMBLY DISTRICT 3

SENATE DISTRICT 11

NOTICES MAILED 286 by City Clerk

APPROVALS 0

PROTESTS 0